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09/977,112	10/11/2001	Greg Mercurio	0370.0726C	1734

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EXAMINER	
CAI, WAYNE HUU	

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
09/29/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

epatent@usiplaw.com

Office Action Summary	Application No.	Applicant(s)	
	09/977,112	MERCURIO, GREG	
	Examiner	Art Unit	
	WAYNE CAI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 July 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20,22,23 and 29-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20,22,23 and 29-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20, 22, 23 and 29-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-20, 22, 23, and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Esser et al. (hereinafter "Esser", US 6,944,426) in view of Fouquet et al. (hereinafter "Fouquet", US 2003/0023747) and further in view of Lewis (US 6,259,898).

Regarding claims 1, 7 and 17, Esser discloses a wireless transceiver device, the wireless transceiver device being arranged to interface with a roaming device, the wireless device comprising:

a memory arranged to store data, the memory further including an editable field, wherein the computer code for causing location information to be accepted causes the location information to be stored in the editable field (i.e., engineer inputs the base

station ID information to the base station as described at col. 4, lines 1-9. It also noted that a memory is implicitly taught by Esser because this base station ID must be stored in the memory for latter usage. Furthermore, because each of the base stations ID can be inputted externally using a keyboard, it also reads on "editable field");

Esser however, does not expressly disclose:

the location information is the location coordinates;

computer code stored in said wireless transceiver device, said computer code for causing acceptance of location coordinates representing a physical location of the wireless transceiver device used for identifying the wireless transceiver device among a plurality of wireless transceiver devices with which the roaming device may wireless communicate;

computer code stored in said wireless transceiver device, said computer code for causing a record associated with the roaming device to be generated, the record being arranged to include the location information stored in the editable field and the data, wherein the computer code for causing the record associated with the roaming device to be generated further causes the record to be stored in the memory; and

a process configured to execute the computer codes, wherein the memory is further arranged to store the computer codes.

In a similar endeavor, Fouquet discloses a method for establishing a communication network based on topographic network devices. Fouquet also discloses:

the location information is the location coordinates (abstract and illustration in figure 1);

computer code stored in said wireless transceiver device, said computer code for causing acceptance of location coordinates representing a physical location of the wireless transceiver device used for identifying the wireless transceiver device among a plurality of wireless transceiver devices with which the roaming device may wireless communicate (abstract, illustration in figure 1, paragraphs 0050-0051).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Esser's invention and arrive at the present invention.

The motivation/suggestion for doing so would have been to ensure messages a routed to destination in a more efficient manner.

The combination of Esser and Fouquet, however, do not expressly disclose:

computer code stored in said wireless transceiver device, said computer code for causing a record associated with the roaming device to be generated, the record being arranged to include the location information stored in the editable field and the data, wherein the computer code for causing the record associated with the roaming device to be generated further causes the record to be stored in the memory; and

a process configured to execute the computer codes, wherein the memory is further arranged to store the computer codes.

In a similar endeavor, Lewis discloses multi-communication access point. Lewis also discloses:

computer code stored in said wireless transceiver device, said computer code for causing a record associated with the roaming device to be generated, the record being arranged to include the location information stored in the editable field and the data, wherein the computer code for causing the record associated with the roaming device to be generated further causes the record to be stored in the memory; and a process configured to execute the computer codes, wherein the memory is further arranged to store the computer codes (col. 5, lines 9-25, col. 6, lines 13-46 and figure 3 also illustrates the record is generated and stored in a form of a table). The Examiner further notes that "data" as recited in the claims is too broad because it is simply known as nothing else, but information.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine all these references altogether.

The motivation/suggestion for doing so would have been to effectively keep the record of the roaming device having access to the network.

Regarding claims 2, and 8, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Lewis further discloses including computer code stored in said memory, that when executed by the processor, cause the processor to obtain the data when the roaming device is in wireless communication with the wires transceiver (fig. 3 shows a table to keep track a record of mobile terminals traversing the transceivers).

Regarding claims 3-4, and 9-10, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Lewis also discloses wherein the

computer code for causing the record associated with the roaming device to be generated includes computer code for causing the record associated with the roaming device to be generated when the roaming device registers/deregisters with the wireless transceiver device (i.e., the table as illustrated in figure 3. It is also important to note that this table clearly illustrates the record and the association between the mobile terminal and a particular transceiver. The association between the mobile and a particular transceiver is an indication of the registration with the transceiver device. Also, one skilled in the art would easily modify the teachings of Esser, Fouquet and Lewis to keep track of the time the roaming device is de-registered with the transceiver device. Based on the foregoing discussion, the claimed features are not novel).

Regarding claims 5, and 18, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Esser discloses wherein computer code for causing the location information to be accepted is configured to accept location information from a source that is external to the wireless transceiver device (i.e. input base station ID using keyboard as described at col. 4, lines 1-9). Furthermore, Fouque also discloses location coordinates as discussed above.

Regarding claims 6, 13, and 22, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Lewis also discloses wherein the wireless transceiver device is configured to operate as an access point in a wireless local area network (see fig. 1).

Regarding claim 11, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Esser also discloses wherein the means for

accepting is configured to accept the input information from a device external to the wireless transceiver device (i.e., keyboard as described at col. 4, lines 1-9).

Regarding claim 12, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Fouquet also discloses wherein the means for accepting is configured to accept the location coordinates in the form of longitude, a latitude, and an altitude coordinates associated with the wireless transceiver device (fig. 1, abstract, and paragraph 0045).

Regarding claim 14, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Lewis also discloses means for obtaining the data from the roaming wireless device when the roaming wireless device is in wireless communication with the wireless transceiver device to access the wireless local area network (col. 4, lines 39-46 describes a record maintains how various mobile terminals registers to access points 19 corresponds to and serviced by multiple transceivers included in the access points).

Regarding claim 15, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Lewis also discloses wherein the means for generating the record associated with the roaming wireless device includes means for placing the data obtained from the roaming wireless device in the record and means for placing the input information stored in the editable field in the record (fig. 3 & 5 and its descriptions.

Regarding claim 16, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Lewis also discloses wherein the means for

generating the record further includes means for obtaining the input information from the editable field (figs. 3 and 5).

Regarding claim 19, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Lewis further discloses wherein creating comprises creating the record after the indication that the roaming device is within the communications range is received (the table as illustrated in figure 3 clearly indicates that it only keep a record of which mobile terminal is in contact or in range of the received access points).

Regarding claim 20, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Lewis also discloses wherein adding the location information into the record includes reading the location information from the editable field (fig. 3 and its descriptions).

Regarding claim 23, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Lewis also discloses obtaining the information associated with the roaming device when the indication that the roaming device is within the communications range is received (fig. 3 includes information collected when mobile terminal is within range of access points).

Regarding claims 30-33, Esser, Fouquet and Lewis disclose all limitations recited within claims as described above. Esser also discloses wherein the computer code that is configured to accept the location information comprises computer code configured to perform a text editor function in connection with text representing the location information received from a keypad or keyboard input device (i.e., base station

ID inputted using keyboard as described at col. 4, lines 1-4). In addition, Fouquet discloses that the location information is the location coordinates as discussed above.

4. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Esser et al. (hereinafter "Esser", US 6,944,426) in view of Fouquet et al. (hereinafter "Fouquet", US 2003/0023747) in view of Lewis (US 6,259,898) and further in view of Raviv et al. (hereinafter "Raviv", US 2002/0164983).

Regarding claim 29, the features recited within this claim are similarly recited in claim 1. Therefore, the Examiner rejects this claim at least for the same reasons set forth in claim 1. In addition, the combination of Esser, Fouquet and Lewis do not disclose performing a remote authentication.

In a similar endeavor, Raviv discloses a method and apparatus for supporting cellular data communication to roaming mobile telephony devices. Raviv also discloses wherein registering the roaming device includes performing a remote authentication (paragraph 0254).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Lewis in view of Raviv.

The motivation/suggestion for doing so would have been to effectively verify and provide services to the roaming devices.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WAYNE CAI whose telephone number is (571)272-7798. The examiner can normally be reached on Monday-Thursday from 8:00 a.m. to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Wayne Cai/
Examiner, Art Unit 2617

/Patrick N. Edouard/
Supervisory Patent Examiner, Art Unit 2617